

# **EXHIBIT A**

**From:** Kaplan, Kenneth P. (Assoc-DC-LT)  
**Sent:** Friday, October 27, 2006 9:03 AM  
**To:** 'glipe@velaw.com'  
**Cc:** Saunders, Sanford (Shld-DC-LT)  
**Subject:** Af-Cap v. Congo & CMS  
**Attachments:** motion to sub.pdf; Document.pdf

Guy:

Further to our conversation Monday in Austin, attached please find the following.

1. Af-Cap's Unopposed Motion to Substitute filed in the Western District Action. Exhibit A to the Motion shows that the FDIC transferred its right, title and interest in the judgment to Af-Cap on September 3, 2002.

2. Motion to Substitute that we propose to file in the D. Delaware action. As you can see, the Motion is identical to the one filed in the W.D. Texas action and relies upon the same factual evidence for its basis to substitute. We trust, therefore, that CMS will take the same position as before and not oppose Af-Cap's Motion to Substitute.

Kindly provide us your position on the Delaware motion to substitute by 5:00 p.m. east coast time on Monday, October 30, 2006.

Separately, we understand that Judge Ellison has lifted the requirement that CMS provide notice prior to removing its assets outside the United States such that it would potentially remove the assets from the jurisdiction of the pending creditor actions. Previously, CMS has provided mixed signals regarding the status of the transaction and, based on our records, last reported to the Southern District that the deal to transfer assets was not complete. Given the pending litigation in Delaware, and the ongoing action in the Western District of Texas and the Fifth Circuit, we request an update on the status of the transaction. Further, we request that you advise us at least thirty days prior to such transaction occurring. We would prefer that you provide this information to us informally in order to avoid unnecessary legal proceedings as we contend that the transfer is improper and knowingly designed to frustrate the Congo's creditors. Alternatively, we will seek expedited discovery to obtain an answer. Thank you, in advance, for your cooperation on this matter.

Should you have any questions, please do not hesitate to contact us.

Sincerely,  
Ken

---

Kenneth P. Kaplan  
Greenberg Traurig LLP  
800 Connecticut Avenue, N.W., Suite 500  
Washington, DC 20006  
(202) 331.3191 (O)  
(202) 261.0156 (F)  
(202) 441.9753 (M)  
kaplank@gtlaw.com

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

FILED

MAR 07 2003

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
ST                       
DEPUTY CLERK

CONNECTICUT BANK OF COMMERCE,  
Plaintiff,

v.

THE REPUBLIC OF CONGO,  
Defendant,

and

CMS OIL AND GAS COMPANY, et al.,  
Garnishees

Civil Action No. A-01-CA-100-SS


AF-CAP'S UNOPPOSED MOTION TO SUBSTITUTE PARTIES

TO THE HONORABLE JUDGE OF THIS COURT:

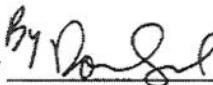
Pursuant to Federal Rule of Civil Procedure 25(c), Af-Cap, Inc. respectfully submits this Motion to Substitute Parties. On September 3, 2002, an Assignment Agreement was executed between the Federal Deposit Insurance Corporation, acting as receiver for Connecticut Bank of Commerce, and Af-Cap, Inc. *See* Ex. A. By that agreement, Af-Cap, Inc. was assigned the money judgment underlying this case. *See id.* By order filed October 4, 2002, this Court substituted Af-Cap as Plaintiff in the underlying judgment matter, Civil Action No. A-01-CA-321-SS. *See* Ex. B. Accordingly, Af-Cap, Inc. should be substituted for Connecticut Bank of Commerce as the Plaintiff in this case as well.

Respectfully submitted,

SCOTT, DOUGLASS & McCONNICO, L.L.P.  
600 Congress Avenue, Suite 1500  
Austin, Texas 78701-2589  
(512) 495-6300  
(512) 474-0731 Fax

By   
Thomas A. Albright  
State Bar No. 00974790  
Doug Sigel  
State Bar No. 18347650

WILLIAMS & CONNOLLY LLP  
725 12<sup>th</sup> Street, N.W.  
Washington, D.C. 20005  
(202) 434-5000  
(202) 434-5029 (fax)

Jonathan P. Graham  
By  By permission  
Jonathan P. Graham (DC Bar 419419) SB#

ATTORNEYS FOR AF-CAP, INC.

18347650

#### CERTIFICATE OF CONFERENCE

I have spoken by telephone with counsel for defendant and counsel for garnishees. They stated that they do not oppose this motion.

Jonathan P. Graham By DS 1521  
Jonathan P. Graham By permission  
SB#  
18347650

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Af-Cap's Unopposed Motion to Substitute Parties has been served on counsel for Defendant and Garnishees, as listed below, on this 7<sup>th</sup> day of March, 2003.

Mr. Boaz S. Morag  
Cleary, Gottlieb, Steen & Hamilton  
One Liberty Plaza  
New York, New York 10006

Via Certified Mail 7002 0860 0005 4676 1640  
Return Receipt Requested

Mr. Donald S. Thomas, Jr.  
Clark, Thomas & Winters  
300 West Sixth Street, 15<sup>th</sup> Floor  
Austin, Texas 78701

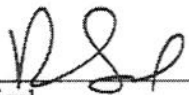
Via Hand Delivery

Mr. Guy S. Lipe  
Vinson & Elkins, L.L.P.  
2300 First City Tower  
1001 Fannin  
Houston, Texas 77002-6760

Via Certified Mail 7002 0860 0005 4676 1657  
Return Receipt Requested

Mr. Marc Vockell  
Ms. Beverly G. Reeves  
Vinson & Elkins, L.L.P.  
The Terrace Seven  
2801 Via Fortuna, Suite 100  
Austin, Texas 78746

Via Hand Delivery

  
\_\_\_\_\_  
Doug Sigel



**COPY**

No. GN100095

CONNECTICUT BANK OF	)	IN THE DISTRICT COURT
COMMERCE,	)	
	)	
Plaintiff,	)	
	)	OF TRAVIS COUNTY, TEXAS
v.	)	
	)	
THE REPUBLIC OF CONGO	)	
	)	
Defendant.	)	345th JUDICIAL DISTRICT

**TRANSFER OF JUDGMENT**

Pursuant to Texas Property Code Section 12.014, Af-Cap, Inc. and the Federal Deposit Insurance Corporation ("the FDIC"), as Receiver for the Connecticut Bank of Commerce ("the Bank"), respectfully submit this Transfer of Judgment. As authority for the Transfer, Af-Cap, Inc. and the FDIC state the following:

1. On January 11, 2001, pursuant to Section 35.003 of the Texas Civil Practice and Remedies Code, the Bank filed a Notice of Filing of Foreign Judgment in this action. *See Ex. A.* The Notice was based on a judgment of the Supreme Court of the State of New York against The Republic of Congo ("the Congo") and in favor of the Bank for \$13,628,340.11. *See id.*
2. On June 26, 2002, the FDIC was named receiver for the Bank. *See Ex. B* (FDIC press release).
3. The name and address of the judgment creditor is: Connecticut Bank of Commerce, c/o The Federal Deposit Insurance Corporation acting as Receiver, Division of Resolutions and Receiverships, 1910 Pacific Avenue, Dallas, Texas 75201.

Exhibit A

4. The name and address of the judgment debtor is: The Republic of Congo, c/o Head of the Ministry of Foreign Affairs, Rodolphe Adada, BP 98, Brazzaville, Congo.

5. The FDIC, as Receiver for the judgment creditor, hereby acknowledges that the judgment creditor transfers its right, title and interest in the judgment in this action, consisting of the unpaid amount of \$13,628,340.11, to Af-Cap, Inc., c/o Wakefield Quin, Chancery Hall, 52 Reid Street, Hamilton HM 12, Bermuda.

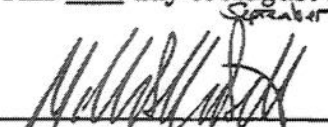
6. Accordingly, pursuant to Texas Property Code Section 12.014(c), Af-Cap, Inc. and the FDIC respectfully request that the Clerk of the Court "note the transfer on the margin of the minute book at the place where the judgment is recorded."

Dated: <sup>September</sup> ~~August~~ 3, 2002

By: 

the FEDERAL DEPOSIT INSURANCE  
CORPORATION as SELLER acting as  
RECEIVER for CONNECTICUT BANK  
OF COMMERCE

Subscribed and sworn to before me  
This 3rd day of ~~August~~ <sup>September</sup> 2002.

  
\_\_\_\_\_  
Notary Public

My commission expires:

MOLLY D. McDEVITT  
Notary Public, State of New York  
No. 02MC6067018  
Qualified in New York County  
Commission Expires Dec. 3, 2006

A



NO. GA1000 95CONNECTICUT BANK OF  
COMMERCE,

Plaintiff,

v.

THE REPUBLIC OF CONGO,

Defendant

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§

IN THE DISTRICT COURT

OF TRAVIS COUNTY, TEXAS

345 JUDICIAL DISTRICTNOTICE OF FILING OF FOREIGN JUDGMENT

Pursuant to Section 35.003 of the TEXAS CIVIL PRACTICE AND REMEDIES CODE, Connecticut Bank of Commerce hereby files the enclosed judgment (Exhibit A) of the Supreme Court of the State of New York, County of Kings, against the Republic of Congo, in favor of Connecticut Bank of Commerce, in the sum of \$13,628,340.11 (a certified copy of which is included in Exhibit A).

The judgment creditor is Connecticut Bank of Commerce, 612 Bedford Street, Stamford, Connecticut 06901.

An affidavit stating the name and last known post office address of the judgment debtor and the judgment creditor is attached as Exhibit B.

Connecticut Bank of Commerce also requests that it collect post judgment interest at a rate of nine percent (9%) per annum as provided in the New York Civil Practice Law and Rules Sections 5003 and 5004.

FILED

01 JAN 11 AM 11:21



19

Respectfully submitted,

SCOTT, DOUGLASS & McCONNICO, L.L.P.  
600 Congress Avenue, Suite 1500  
Austin, Texas 78701-2589  
(512) 495-6300  
(512) 474-0731 Fax

By



Thomas A. Albright  
State Bar No. 00974790  
Doug Sigel  
State Bar No. 18347650

ATTORNEYS FOR CONNECTICUT BANK  
OF COMMERCE

### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Notice of Filing of Foreign Judgment has been served on Defendant, as shown below, on January 11, 2001.

Directeur General de la Caisse Congolaise  
d'Amortissement  
BP 2090  
Brazzaville, Congo

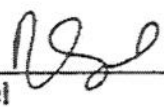
By Registered Mail  
Return Receipt Requested

Republic of the Congo  
c/o Head of the Ministry of Foreign Affairs  
Rodolphe Adada  
BP 98  
Brazzaville, Congo

By Registered Mail  
Return Receipt Requested

United States Corporation Company  
(Registered Agent for Republic of Congo)  
2 World Trade Center, Suite 8746  
New York, NY 10048

By Registered Mail  
Return Receipt Requested

  
\_\_\_\_\_  
Doug Sigel

~~Case 1:01-cv-00100-SG Document 94 Filed 03/07/2003 Page 10 of 20~~

SUPREME COURT OF STATE OF NEW YORK  
COUNTY OF KINGS

CONNECTICUT BANK OF COMMERCE

Index No. 26671/99

- Plaintiff.

MONEY JUDGMENT

-against-

FILE COPY

THE REPUBLIC OF CONGO

Defendant.

STATE OF NEW YORK )

)ss:

COUNTY OF KINGS )

1. Plaintiff, CONNECTICUT BANK OF COMMERCE, by its attorneys, GOLDBERG & COHN, LLP, LOCAL COUNSEL to the FIRM OF WILLIAMS & CONNOLLY, having moved by Motion for Summary Judgment in Lieu of Complaint dated for an Order that a Money Judgment be granted to Plaintiff in the sum of Ten Million Three Hundred Seventy Five Thousand Two Hundred Forty Four Dollars and Eighty Three (\$10,375,244.83) DOLLARS plus interest and such costs and disbursements as are fixed by the Court; and

2. The Defendant having defaulted by failing to put in any Response to said motion and the matter having come before Hon. Irving Aronin on November 17, 1999 and Justice Aronin having granted Plaintiff's Motion for a Money Judgment of Ten Million Three Hundred Seventy Five Thousand Two Hundred Forty Four Dollars and Eighty Three (\$10,375,244.83) Cents and directing Plaintiff to settle an Order on Notice and Plaintiff having settled said Order on Notice to Defendant, and this Order having been signed by Justice Aronin on February 1, 2000 and having been duly entered by the County Clerk, Kings County on March 10, 2006, *granting that*

Case 1:01-cv-00100-SS Document 94 Filed 03/07/2003 Page 11 of 20

~~\_\_\_\_\_~~ a Mo ~~\_\_\_\_\_~~ judgment be ~~\_\_\_\_\_~~ against Defendant ~~\_\_\_\_\_~~ Republic of Congo in the sum of Ten Million Three Hundred Seventy Five Thousand Two Hundred Forty Four Dollars and Eighty Three (\$10,375,244.83) Cents plus interest from November 15, 1996, of ~~\_\_\_\_\_~~

~~\_\_\_\_\_~~ and now on the Motion of GOLBERG & COHN, LLP., LOCAL COUNSEL to the FIRM OF WILLIAMS & CONNOLLY it is;

ADJUDGED that Plaintiff CONNECTICUT BANK OF COMMERCE residing at and with a principal place of business at 612 Bedford Street, Stamford, Connecticut 06901 have Judgment against and do recover of the Defendant, The Republic of Congo, a sovereign foreign entity with a principal residence in the United States at its Embassy located in 4891 Colorado Avenue, Northwest,

Washington, D.C., (202) 726-0825 the sum of ~~\_\_\_\_\_~~ \$10,375,244.83, plus interest in

\$3,252,650.28 ~~\_\_\_\_\_~~ plus costs and disbursements in the amount of \$445.00, making a total sum of  
\$13,628,340.11 and the plaintiff shall have execution therefor.

Wilbur A. Levin  
 CLERK  
 SUPREME COURT, KINGS COUNTY

KINGS COUNTY CLERK'S OFFICE

NOV 21 6-17 PM '06

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 20



CONNECTICUT BANK OF COMMERCE,

Plaintiff(s)

-against-

THE REPUBLIC OF CONGO,

Defendant(s).

MONEY JUDGMENT

GOLDBERG & COHN, LLP

Attorneys for

Office and Post Office Address, Telephone

16 Court Street - Suite 2304

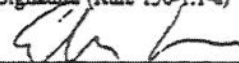
BROOKLYN, N.Y. 11241

(718) 875-2400

FAX (718) 858-2101

To

Signature (Rule 130.1.1-a)



Attorney(s) for

Print name beneath

ELLIOTT S. MARTIN

Service of a copy of the within

is hereby admitted.

Dated,

Attorney(s) for

Please take notice

1. NOTICE OF ENTRY

that the within is a (certified) true copy of a  
only entered in the office of the clerk of the within named court on

2. NOTICE OF SETTLEMENT

that an order of which the within is a true copy will be presented for  
settlement to the HON. one of the judges  
of the within named court, at

Dated,

Yours, etc.

GOLDBERG & COHN, LLP

Attorneys for

Office and Post Office Address, etc.

16 Court Street - Suite 2304

BROOKLYN, N.Y. 11241

FILED

FILED



Case 1:05-cv-00762-SLR Document 50-2 Filed 11/22/2006 Page 15 of 22  
Case 1:05-cv-00762-SLR Document 94 Filed 03/07/2003 Page 13 of 20  
CONNECTICUT B/ OF COMMERCE,

Plaintiff(s)

-against-

THE REPUBLIC OF CONGO,

Defendant(s).

BILL OF COSTS

GOLDBERG & COHN, LLP

Attorneys for

Office and Post Office Address, Telephone

16 Court Street - Suite 2304

BROOKLYN, N.Y. 11241

(718) 875-2400

FAX (718) 858-2101

To

Signature (Rule 130-1.1-a)

Attorney(s) for

Print name beneath

ELLIOTT S. MARTIN

Service of a copy of the within

is hereby admitted.

Dated,

Attorney(s) for

Please take notice

NOTICE OF ENTRY

that the within is a (certified) true copy of a

copy entered on the index of the clerk of the within named court on

NOTICE OF SETTLEMENT

that an order

settlement to the HON.

of the within named court on

of which the within is a true copy will be presented for  
one of the judges

Dated

Your, etc.

GOLDBERG & COHN, LLP

Attorneys for

Office and Post Office Address

16 Court Street - Suite 2304

BROOKLYN, N.Y. 11241

**ATTORNEY'S CERTIFICATION**

ELLIOTT S. MARTIN, an attorney duly admitted to practice law in the State of New York, make this affirmation pursuant to CPLR 2106 and under the penalty of perjury:

I certify that the annexed MONEY JUDGMENT AND BILL OF COSTS has been compared by me with the original and found to be a true and complete copy thereof.

DATED: Brooklyn, New York  
June 21, 2000

  
\_\_\_\_\_  
ELLIOTT S. MARTIN, ESQ.



Case 1:01-cv-00100-SS Document 94 Filed 03/07/2003 Page 15 of 20  
 against  
**THE REPUBLIC of CONGO**  
 Defendant(s) Respondent(s)

Calendar No.  
**AFFIDAVIT  
 OF  
 SERVICE**

STATE OF NEW YORK, COUNTY OF: **KINGS** ss: **0917151** **ROBERTO A. NICHOLSON**  
 The undersigned, being sworn, says: Deponent is not a party herein, is over 18 years of age and resides at **KINGS COUNTY**

**JUNE 21<sup>ST</sup>, 2000 at 12:55PM at 2 World Trade Center, Suite 8746, N.Y. N.Y.**

Deponent served the within ☐ summons ☐ with notice ☐ summons, Spanish summons and complaint, the language required by NYCRR 2900.2(e), (f) & (h) was set forth on the face of the summons(es)  
☐ summons and complaint ☐ notice of petition and petition  
☐ subpoena duces tecum ☐ subpoena  
☐ citation ☒ **MONEY JUDGEMENT / BILL of COST**  
**THE REPUBLIC of CONGO** ☐ defendant ☐ witness { hereinafter called } therein  
☐ respondent ☐ the recipient named

by delivering a true copy of each to said recipient personally, deponent knew the person so served to be the person described as  
 1. ☐ said recipient therein.

2. ☒ a **DOMESTIC** corporation, by delivering thereat a true copy of each to **JUDITH MORGAN**  
 personally, deponent knew said corporation so served to be the corporation, described in same as said recipient and knew said individual to be **MANAGING AGENT** thereof. To ACCEPT

by delivering thereat a true copy of each to a person of suitable age and discretion. Said premises is recipient's ☐ actual place of business ☐ dwelling place ☐ usual place of abode within the state.  
 3. ☐ by affixing a true copy of each to the door of said premises, which is recipient's ☐ actual place of business ☐ dwelling place  
 4. ☐ usual place of abode within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereat, having called there

Deponent talked to at said premises who stated that recipient ☐ lived ☐ worked there.  
 Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient at recipient's last known residence, at and deposited said envelope in an official depository under exclusive care and custody of the U.S. Postal Service within New York State.  
 Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to recipient at recipient's actual place of business, at

in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the recipient.  
 RECEPTION ☐ Male ☐ White Skin ☒ Black Hair ☐ White Hair ☐ 14-20 Yrs. ☐ Under 5' ☐ Under 100 Lbs.  
☒ Female ☒ Black Skin ☐ Brown Hair ☐ Balding ☐ 21-35 Yrs. ☐ 5'0"-5'3" ☐ 100-130 Lbs.  
☐ Yellow Skin ☐ Blonde Hair ☐ Mustache ☒ 36-50 Yrs. ☒ 5'4"-5'8" ☒ 131-160 Lbs.  
☐ Brown Skin ☐ Gray Hair ☐ Beard ☐ 51-65 Yrs. ☐ 5'9"-6'0" ☐ 161-200 Lbs.  
☐ Red Skin ☐ Red Hair ☐ Glasses ☐ Over 65 Yrs. ☐ Over 6' ☐ Over 200 Lbs.

Other identifying features:

RECEIVED \$ the authorizing traveling expenses ☐ was paid (tendered) to the recipient  
☐ and one days' witness fees ☐ was mailed to the witness with subpoena copy.  
 I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

to before me on

**6/24/00**

**RICHARD S. GOLDBERG**  
 Notary Public, State of New York  
 No. 24 - 6051700  
 Qualified in Kings County  
 Commission Expires May 31, 2002

**Roberto A. Nicholson** 0917151  
 License No.

NO. \_\_\_\_\_

CONNECTICUT BANK OF  
COMMERCE,

Plaintiff,

v.

THE REPUBLIC OF CONGO,

Defendant

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IN THE DISTRICT COURT

OF TRAVIS COUNTY, TEXAS

\_\_\_\_ JUDICIAL DISTRICT

STATE OF CONNECTICUT  
COUNTY OF FAIRFIELD

**AFFIDAVIT OF J. DONALD WEAND**

On this date, J. Donald Weand personally appeared before me, the undersigned Notary Public, and after being duly sworn stated the following under oath:

1. My name is J. Donald Weand. I reside in Fairfield, Connecticut. I am over 18 years of age. I have never been convicted of a crime, and I am fully competent to make this affidavit. I have personal knowledge of the facts stated, and they are true and correct.

2. I am the president of Connecticut Bank of Commerce.

3. This affidavit is being filed together with an authentic copy of a judgment of the Supreme Court of the State of New York, County of Kings, against the Republic of Congo, in favor of Connecticut Bank of Commerce, in the sum of \$13,628,340.11.



4. The last known post office addresses of the judgment debtor, the Republic of Congo, are as follows:

Directeur General de la Caisse Congolaise d'Amortissement  
BP 2090  
Brazzaville, Congo

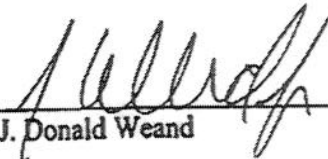
Republic of the Congo  
c/o Head of the Ministry of Foreign Affairs  
Rodolphe Adada  
BP 98  
Brazzaville, Congo

5. The address of the registered agent for the Republic of Congo, pursuant to the loan agreement that gave rise to the judgment, is:

United States Corporation Company  
2 World Trade Center, Suite 8746  
New York, NY 10048

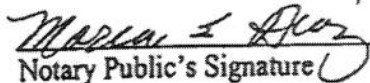
6. The post office address of the judgment creditor, Connecticut Bank of Commerce, is 612 Bedford Street, Stamford, Connecticut 06901.

Further Affiant saith not.

  
J. Donald Weand

SUBSCRIBED AND SWORN TO BEFORE ME by J. Donald Weand on this the 8<sup>th</sup> day of January, 2001.

MARIA E. DIAZ  
Notary Public, State of New York  
No. 0106044777  
Qualified in New York County  
Commission Expires July 10, 2022

  
Notary Public's Signature

B



[SITEMAP](#) [SEARCH](#) [HELP](#) [HOME](#)

## Press Releases

### **FDIC ANNOUNCES RECEIVERSHIP OF THE CONNECTICUT BANK OF COMMERCE, STAMFORD, CONNECTICUT**

**FOR IMMEDIATE RELEASE  
PR-74-2002 (6-26-2002)**

**Media Contact:  
Phil Battey (202) 898-6993**

WASHINGTON, D.C. – The Connecticut Bank of Commerce, Stamford, Connecticut, was closed today by the Banking Commissioner, Connecticut Department of Banking, and the Federal Deposit Insurance Corporation (FDIC) was named receiver.

The FDIC is attempting to arrange a transaction under which the failed bank's insured deposits will be assumed by a healthy bank over the weekend. If this effort proves unsuccessful, the FDIC will move immediately to make funds available to depositors up to the statutory insurance limit of \$100,000.

The FDIC expects to make an announcement of the outcome of its effort within the next few days. As of March 31, 2002, the Connecticut Bank of Commerce reported approximately \$398.6 million in assets and \$323.7 million in deposits.

This was the seventh failure of an FDIC-insured institution in 2002.

###

Congress created the Federal Deposit Insurance Corporation in 1933 to restore public confidence in the nation's banking system. The FDIC insures deposits at the nation's 9,538 banks and savings associations and it promotes the safety and soundness of these institutions by identifying, monitoring and addressing risks to which they are exposed. The FDIC receives no federal tax dollars - insured financial institutions fund its operations.

FDIC press releases and other information are available on the Internet at [www.fdic.gov](http://www.fdic.gov) or through the FDIC's Public Information Center (800-276-6003 or 202-416-6940).

Last Updated 06/26/2002

[communications@fdic.gov](mailto:communications@fdic.gov)

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

FILED

2002 OCT -4 AM 11:05

U.S. DISTRICT COURT  
BY SV

CONNECTICUT BANK OF COMMERCE,  
Plaintiff,

-vs-

Case No. A-01-CA-321-SS

THE REPUBLIC OF CONGO,  
Defendant.

ORDER

BE IT REMEMBERED on the 3rd day of October 2002 the Court reviewed the file in the above-styled cause, specifically Plaintiff's Motion to Substitute Parties [#22], Plaintiff's Motion for Permission to Serve Garnishment Writs [#23], and Defendant's Response [#25]. After considering the motions and responses, the case file as a whole, and the relevant law, the Court enters the following orders.

IT IS ORDERED that the Plaintiff's Unopposed Motion to Substitute Parties [#22] is GRANTED.

IT IS FURTHER ORDERED that Plaintiff's Motion for Permission to Serve Garnishment Writs [#23] is DISMISSED WITHOUT PREJUDICE to refile.

SIGNED this the 3rd day of October 2002.

Sam Sparks  
SAM SPARKS  
UNITED STATES DISTRICT JUDGE

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